

Remarks

Request for Reconsideration

Applicants have carefully considered the matters raised by the Examiner in the outstanding Office Action but remains of the position that patentable subject matter is present. Applicants respectfully request reconsideration of the Examiner's position based on the amendments to the claims and the following remarks.

Information Disclosure Statement

Examiner notes the listing of references in the International Search Report is not a proper information disclosure statement. A list of all patents, publications, or other information must be submitted for consideration.

In order to fully comply hereto, a list of all pertinent documents has been prepared and is included, along with an SB08A Form, with this response.

Drawing Rejections (37 CFR 1.84(h)(5))

The drawings were objected to under 37 CFR 1.84(h)(5) because Figure 1 appears to show modified forms of construction in the same view. Specifically, the "annular groove 2k" is not shown to be annular in Figure 1. Examiner requests corrections to the drawings.

Figure 1 has been amended herein to remove the reference to "annular groove 2k." Annular groove 2k is now only referenced in Figure 2.

Abstract

The Abstract was objected to because it includes implied phrases and legalese.

The Abstract has been amended herein to comply with Examiner's requests.

Specification

The disclosure was objected to because of the following informalities:

Page 15, line 2, "7b" should be "7a"

The disclosure has been amended herein.

Claim Rejections (35 U.S.C. § 112)

Claims 1-17 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctively claim the subject matter which applicant regards as the invention. Additionally, the Examiner noted that Claims 1-17 were allowable if amended to overcome the 112 rejection. Applicants have amended their claims to overcome the 112 rejection, as outlined below.

Claim 1: Examiner states claim 1 is unclear with respect to the phrase "in the process."

Claim 1 has been amended herein to clarify the phraseology within the portion of the claim in question.

Claim 10: Examiner states the phrase "bolts are fixed to the wheel carrier, and at least one of the fastening elements is fixed to each of the bolts" in claim 10 is not

understood with respect to the relationship between the fastening elements and the bolts. The Examiner notes that the claim appears to define the parts as separate elements, whereas the disclosure only describes the bolts acting as fastening elements, not with “fastening elements fixed to each of the bolts.”

Claim 10 has been amended herein to remove any indication that the claim defines the parts as separate elements.

Claim 11: Examiner states there is no proper antecedent basis for “the fastening means” in claim 11 because claim 1 only defines “fastening elements.” Moreover, Examiner notes to refer to fastening elements (or fastening means) as only being the heads of the bolts is improper as it is the entire bolt structure that acts to fix the flange to the wheel carrier, not just the bolt head.

Claim 11 has been modified herein per Examiner’s comments.

Claim 13: Examiner states the use of “it” in line 3 of claim 13 is indefinite because it is unclear what “it” refers.

Claim 13 has been amended herein to clarify what “it” is referring to in the claim.

Claim 14: Examiner states there is no proper antecedent basis for “the hub” in line 2, as this limitation is first set forth in claim 13.

Claim 14 has been amended herein to provide a proper antecedent basis for the phrase “the hub.”

Claim 16: Examiner contends there is no proper antecedent basis for "the second recesses," as the limitation is first properly set forth in claim 6.

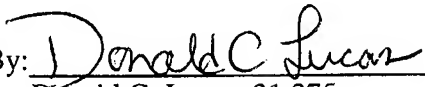
Claim 16 has been amended herein to provide a proper antecedent basis for the phrase "the second recesses."

Conclusion

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and such action is respectfully requested. Should any extensions of time or fees be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit Account Number 02-2275.

Respectfully submitted,

LUCAS & MERCANTI, LLP

By: 
Donald C. Lucas, 31,275
Attorney for Applicant(s)
475 Park Avenue South, 15th Floor
New York, NY 10016
Tel. 212-661-8000

DCL/JW/mr

Attached: Replacement Sheet
PTO Form SB/08A and references